

1 because of her age?

2 A. Specifically she did not say the word -- no,
3 I'm not going to say that.

4 Specifically, she alluded to the fact of
5 her years in and her age and the fact that she was a
6 woman.

7 Q. That's what she was telling you after she had
8 gone when you were meeting with her?

9 A. Not in so many words but she alluded to that
10 fact, yes.

11 Q. And that was after she was already gone?

12 A. Yes.

13 Q. Now, getting back to your conversation with
14 Rosemary Thomas, did you go into detail with her that
15 you felt that Gilmore's conduct and words were founded
16 in age because four other individuals over 40 had been
17 let go and you felt it was systematic? Did you get
18 into that kind of detail?

19 A. I can't recall at this time specifically, but I
20 recollect that I told Rosemary that I found it very
21 odd that Mr. Bell was let go, that Linda Squier and
22 Martha Feters were forced out, that Kathleen was
23 dismissed, that I went from being the saving grace of
24 the team, the work force in Delaware, the support work



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1 force in Delaware to all of a sudden being on a hit
2 list, but I didn't use the word hit list. In this
3 context I'm saying that.

4 Q. And what did Rosemary say?

5 A. As I recall, she listened to me. I think she
6 answered in a political fashion, that Mellon's
7 striving to be better, that everybody needed to work
8 harder.

9 Q. When you say, "a political fashion," what do
10 you mean by that?

11 A. I don't feel that Rosemary Thomas was
12 exceptionally sympathetic to the specific complaint I
13 was making.

14 Q. Why did you feel that way, that she wasn't
15 being sympathetic?

16 A. She didn't cite specific Mellon procedures that
17 would be taken as far as do I sign a formal complaint?
18 Does she sit down with a superior and Brendan and
19 discuss the specific charge that I was making?

20 Q. She didn't tell you what was going to happen as
21 a result of your conversation?

22 A. Not specifically what would transpire after it,
23 no, I don't recollect, no.

24 Q. Did she mention anything that would happen that



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1 would transpire?

2 A. To the best of my memory, I think she said she
3 was going to speak to Brendan about it.

4 Q. Do you know if she spoke to Brendan?

5 A. I have no way of knowing that for sure.

6 Q. In terms of your answer, is it that Rosemary
7 never -- did Rosemary come back to you and say I've
8 spoken to Brendan and this is what has occurred or
9 what he says?

10 A. To my recollection, it would have to be that
11 when I returned from vacation I would have to assume
12 she spoke to Brendan because then I was handed a final
13 warning or given a final warning.

14 Q. And that's why you feel that she had spoken to
15 Brendan?

16 A. At this time I would have to say that's
17 probably why.

18 Q. And is it I guess the timing, is that what
19 you're basing it on, that you got the final warning
20 after you had complained about Brendan?

21 A. Yes.

22 Q. Do you know if there had been any discussions
23 about placing you on a final written warning prior to
24 your conversations with Rosemary about Brendan?



1 A. Please repeat that.

2 Q. Sure.

3 MS. WILSON: Can you repeat that?

4 (The reporter read back the pending
5 question.)

6 THE WITNESS: I don't recall at this time.

7 BY MS. WILSON:

8 Q. When Brendan called you a survivor you took it
9 to mean a reference to you being the only one I
10 believe you had characterized it as left from the
11 team, the beginning team.

12 Was that in fact the case, that of all of
13 the initial team members that you were the only one
14 left?

15 A. Yes.

16 Q. Besides Brendan?

17 A. Before we went completely into a team concept
18 of people in Delaware working under people in
19 Philadelphia and people in Washington working under
20 people in Philadelphia, the original Delaware team
21 consisted of Robert Bell, Linda Squier, Kathleen Agne
22 and myself. Of those four, I was the only one
23 remaining.

24 Q. You and Brendan were the only ones remaining of



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1 that team?

2 A. Under his team. Under his team.

3 Q. Right.

4 A. Yes.

5 Q. Before the break, Ms. Blozis, we were talking
6 about Brendan Gilmore and one of the things that you
7 had said that you felt was indicative of age
8 discrimination was that he wanted to eliminate older
9 workers on his team and replace them with younger
10 people.

11 Do you remember that testimony?

12 A. Yes.

13 Q. Now, I believe we have gone through the older
14 workers that you were referring to and that would be
15 Kathleen Agne?

16 A. Yes.

17 Q. Robert Bell?

18 A. Yes.

19 Q. Martha Fетters?

20 A. Yes.

21 Q. And Linda Squier?

22 A. Yes.

23 Q. And there's also another one. I'm looking on
24 pages 9 and 10 of your complaint, paragraph it's



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1 starting with paragraph 53. It's 53a through e.

2 A. Yes.

3 Q. If you look at e, Frances Smith.

4 A. Yes.

5 Q. Now, where was she with respect to the team --

6 A. She was not a member of the Gilmore team.

7 Q. Was she on another team?

8 A. She was on the Philadelphia team.

9 Q. Do you know, did each team have a name like
10 whoever the leader was, the Gilmore team? Was there
11 another team that she was on?

12 A. Yes.

13 Q. What was the name of her team?

14 A. I don't recall at the end of her career with
15 Mellon. At one time it was the Jane Lefend team, but
16 I don't believe that was the team, that Jane was the
17 team leader on Mrs. Smith's team when she was
18 released.

19 Q. And it says that she was forced to resign in
20 approximately September of 2003?

21 A. Yes.

22 Q. You don't remember whose team she was on at the
23 time?

24 A. At this time -- excuse me. Yes. I believe



1 Gilmore in that meeting tried to impress upon me that
2 the younger team members were working harder than I
3 was and was doing more, taking on more
4 responsibilities than I was.

5 Q. But in terms of seeing any of their performance
6 evaluations or anything like that, you have never seen
7 them, correct?

8 A. I'm sorry? I didn't hear you.

9 Q. You have never seen any of the younger Gilmore
10 team members' performance evaluations, have you?

11 A. No.

12 Q. Just to be clear, during the conversation that
13 you were having with Gilmore around the April 30th
14 time frame he didn't mention the term younger?

15 A. I don't recall he used the term younger.

16 Q. Now, thinking beyond that meeting during the
17 time that you were employed at Mellon -- and I
18 understand that you have given me some examples of
19 this, but my question is for you to tell me everything
20 that Gilmore has said or done that you took to be
21 indicative of age discrimination. You don't have to
22 mention the elimination of the older workers issue,
23 the survivor, the profanity.

24 Anything other than what you have already



1 testified to?

2 A. I recall a couple of instances with Maria
3 Bannister, who I considered a team player but because
4 she was new and younger when Brendan Gilmore was in
5 the Delaware office he would frequently praise her
6 work and her performance and bypass me altogether
7 when, in essence, I helped train her and brought her
8 up to speed if she was accomplishing that work.

9 Q. Is Maria the same woman as Dunlop?

10 A. I beg your pardon. Maria was employed, she was
11 hired as Maria Bannister and got married and became
12 Maria Dunlop.

13 Q. All right. So you felt that Gilmore's praise
14 of Maria's work was not warranted?

15 A. I didn't say it was not warranted. I said I
16 believed it was founded on the fact that she was
17 younger and I was ignored.

18 Q. Well, I guess in general Gilmore would say
19 Maria is doing a great job at whatever or words to
20 that effect?

21 A. In general, yes.

22 Q. So when he would give her praise for the work
23 that she did, did you feel that Maria didn't deserve
24 that praise.



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1 A. I said she was a team player. I didn't say she
2 didn't deserve it. I said that she would be given
3 praise and I as a team player if she and I were
4 working together, I would be excluded from that.

5 Q. Are you saying that -- I guess what -- I think
6 I understand what you're saying in terms of the
7 praise.

8 When I asked you whether you felt she was
9 undeserving of the praise, is your answer to that yes
10 or no?

11 A. She was not undeserving of that praise.

12 Q. You felt that you were deserving of some equal
13 praise?

14 A. Yes.

15 Q. Did you ever say Brendan, I'm working on this
16 too; I would like to hear some kudos for my work?

17 A. Brendan Gilmore wasn't the type of team leader
18 that you could make a comment like that to and feel
19 comfortable within the realm of your position.

20 Q. So Gilmore didn't like to be questioned or
21 approached on topics such as I would like to be
22 included in the praise?

23 A. Exactly.

24 Q. You were giving me instances of times where you



1 thought Gilmore's conduct or words were indicative of
2 age discrimination.

3 A. You're referring to instances of --

4 Q. Where you felt that Gilmore either had by way
5 of statement, by way of conduct in some way evidenced
6 age discrimination. And the last example you gave me
7 was concerns about Maria Dunlop and I didn't want to
8 cut you off. I wanted to hear everything that you had
9 to say about that having to do with Gilmore.

10 A. I don't quite understand what you're inquiring
11 about.

12 Q. Well, are there any more instances where you
13 felt that Gilmore either by statement or by conduct in
14 some way was evidencing age discrimination? We talked
15 about giving praise to Maria, none to you, the
16 survivor comment, the cursing, the letting go of the
17 older workers, the hiring of the younger workers.

18 I'm looking for more examples of that that
19 you have.

20 A. I recall there were instances when in team
21 meetings or prior to or after meetings he would be
22 more jovial with younger people than he would with the
23 older members of the team, "older" meaning age and/or
24 time in.



1 Q. When you say, "time in," you mean years of
2 service with the company?

3 A. Yes.

4 Q. Why do you feel that's indicative of age
5 discrimination?

6 A. We were all on the same team.

7 Q. So by "more jovial," you mean joking around?

8 A. Friendlier, more outgoing.

9 Q. You felt that with the older workers he didn't
10 have that same level of being friendly and outgoing?

11 A. No, I did not think that he had that same
12 level.

13 Q. Was he like nasty to the older workers in the
14 meeting?

15 A. I wouldn't use the term "nasty."

16 Q. But wouldn't you say that he wasn't as jovial
17 or outgoing? I'm just trying to get a sense of how he
18 was appearing with the younger workers as opposed to
19 the older ones.

20 A. If he was friendly and jovial with the younger
21 ones, it seemed apparent that he was aloof and distant
22 and borderline rude to the older workers.

23 Q. And when you say, "borderline rude," what would
24 he do?



1 A. Just if they asked questions he would be abrupt
2 in his answers or not have time for them then.

3 Q. You felt with the younger workers he would
4 answer their questions and have time to discuss
5 whatever they were bringing up?

6 A. Yes.

7 Q. Did you ever approach him on this?

8 A. No.

9 Q. Did you ever speak with Rosemary or anybody
10 from HR about how you felt the meetings were going?

11 A. Not that I recall at this time.

12 Q. Would it be at all of the meetings that you
13 felt that way or some of them?

14 A. For the most part it would be at the
15 predominance of the meetings. Not all of the team
16 members were always included. It would depend on what
17 the particular situation required, whether it be
18 officers or officers and assistants.

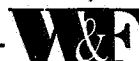
19 Q. Would you be included on all of the meetings?

20 A. I was an assistant.

21 Q. So there would be meetings that you would not
22 be included on?

23 A. There were at times, yes.

24 Q. In terms of when the meetings were and who



1 would be included on the meetings, would there be an
2 e-mail coming out from Brendan saying we're going to
3 have a meeting on X date and A, B and C should be
4 there at the meeting?

5 A. As I recollect, there could have been over the
6 time frame that he was the team leader, yes.

7 Q. So you would get some advanced word of a
8 meeting date and who was to attend the meeting?

9 A. For the most part, yes, there would be advanced
10 notice.

11 Q. Then I think you testified that some meetings
12 were done on the phone?

13 A. Yes.

14 Q. And some in person?

15 A. Yes.

16 Q. Any other examples of instances where you
17 thought Gilmore was being discriminatory on the basis
18 of age?

19 A. At this time I don't recall any.

20 Q. You also --

21 A. That's my phone.

22 MR. LaROSA: Let's go off the record for a
23 second.

24 (Discussion off the record.)



1 BY MS. WILSON:

2 Q. Now, with respect to your complaint you also
3 have a gender discrimination allegation. And focusing
4 in on Gilmore --

5 A. Excuse me. I'm going to shut my phone off.

6 Q. Oh, sure.

7 A. I'm sorry. Would you repeat the question?

8 Q. Sure. Ready?

9 A. Yes.

10 Q. Going back to Gilmore.

11 A. Yes.

12 Q. And focusing now on your gender discrimination
13 claim.

14 A. Yes.

15 Q. Can you provide me with instances where you
16 feel that Gilmore either by word or conduct was
17 discriminating against you on the basis of gender?

18 A. To the best of my recollection, when I might be
19 in the Philadelphia offices and working alongside a
20 teammate for whatever purpose on an account I noticed
21 that Dan Merlino would not seem to be as busy as we
22 women might have been.

23 Q. And Dan Merlino was a portfolio administrator?

24 A. To the best of my recollection, that's how he



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1 started on the team.

2 Q. When you say that Dan wasn't as busy as the
3 women, what women?

4 A. It would have been while she was still under
5 the employ Kathleen Agne, Marion whose name I don't
6 recall.

7 Q. I think I might have her name.

8 Is it Marion --

9 A. Marano.

10 Q. -- Marano?

11 A. It just came to me. Marano, Marion Marano.

12 Q. M-a-r-a-n-o.

13 A. Even Brendan's personal assistant, Cindy
14 Chambliss.

15 Q. Was Cindy a portfolio administrator?

16 A. I don't know what her correct title was at this
17 time since she was Brendan's personal assistant.

18 Q. And Marion, she was a portfolio administrator?

19 A. Yes, as I recall.

20 Q. So when you say that you visited the
21 Philadelphia office and Dan didn't seem to be as busy
22 as the rest of the women, why did you take that to be
23 gender related?

24 A. Because I recollect there were instances in



1 which Marion and Cindy would intimate to me that we
2 have these tasks to complete and Dan did not have
3 comparable tasks. He was not giving comparable tasks
4 in a comparable work position.

5 Q. And who would be the person in charge of giving
6 Dan tasks?

7 A. It would be Brendan Gilmore.

8 Q. And did you ever do sort of your own
9 investigation as to what task Dan was being given?

10 A. I don't understand your question.

11 Q. Did you know what task that Dan was being given
12 to do?

13 A. There were specific job duties listed that the
14 portfolio administrators were responsible for and
15 sometimes we might have to work in conjunction with
16 one another or ask questions. It seems sometimes when
17 I would call Dan he wouldn't have the answers. He
18 would defer me to Marion or Cindy or one of the women.

19 Q. And you took from there, from his deferment to
20 the females that he didn't have the same work, the
21 comparable work that you had to do?

22 A. I took from there that he should have that
23 answer as part of his job and he didn't have it.

24 Q. So in terms of whether he had comparable work



1 to do, do you know that?

2 A. As I recollect, if he was given the title of
3 portfolio administrator he would be given similar
4 duties as we women would be given.

5 Q. And you took that something was amiss when you
6 would call and ask for information and he wouldn't
7 know the answer?

8 A. Yes.

9 Q. Did that lead you to believe that either -- I
10 mean, what I took from your answer is you would ask
11 him a question, he didn't know the answer and you
12 thought he should have known the answer?

13 A. On some occasions, yes. On other times if I
14 asked could you check on something for me, he would
15 defer to I'll have Marion call you back or I'll have
16 Cindy call you back.

17 Q. And did you think there was something wrong
18 with him --

19 A. I thought that --

20 Q. -- doing that?

21 A. Yeah. I thought that he was very capable of
22 getting the answers or being able to work as a team
23 player and not defer to the women.

24 Q. So it sounds like you were thinking that he



1 wasn't pulling his weight?

2 A. Yes.

3 Q. And instead of saying I'll have so-and-so get
4 you the answer that he should have gotten the answer
5 himself and given it to you?

6 A. Yes.

7 Q. Did you ever have any conversations with
8 Brendan Gilmore or Becker that Dan wasn't pulling his
9 weight?

10 A. You asked about the two of them.

11 Q. Well, with either one of them did you ever have
12 any conversations that Dan wasn't pulling his weight?

13 A. I don't recall specifically at this time, no.

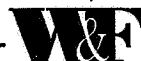
14 Q. Do you know whether Kathleen or Marion or Cindy
15 ever complained to Brendan or, and I'll use his last
16 name, Becker, Bill Becker that Dan wasn't pulling his
17 weight?

18 A. I have no way of knowing that at this time.

19 Q. Do you know whether Brendan or Bill had any
20 knowledge that Dan wasn't pulling his weight?

21 A. Do I have any knowledge? I don't know for sure
22 that they would at this time.

23 Q. Are there other examples of gender
24 discrimination in connection with Gilmore?



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